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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,088	07/14/2000	Seong Pyo Hong	0465-0719P	5584

7590 10/06/2003

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EXAMINER

BATTAGLIA, MICHAEL V

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 10/06/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,088

Applicant(s)

HONG ET AL.

Examiner

Michael V Battaglia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 is/are allowed.
- 6) ☒ Claim(s) 14, 15 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 14-15 and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fushimi et al (US 6,088,307) (hereafter Fushimi).

In regard to claim 14, Fushimi discloses a track jump method performed on a disc on which a plurality of header areas having different phases are disposed between recordable data areas, in which information for recognition of reference frequency is provided in wobbling shape on a track, to separate the data areas (Figs. 4A and 4B), the track jump method comprising the steps of performing a track jump with inhibition of a phase locked loop (PLL) of a wobble signal

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when a track jump command is received; and resuming the PLL of the wobble signal when the track jump is completed (Col. 10, lines 30-51).

In regard to claim 15, Fushimi discloses that the PLL inhibiting step inhibits the PLL of the wobble signal and holds a PLL-wobble signal to a value obtained before the track jump is performed, during the track jump (Col. 10, lines 32-36).

In regard to claim 17, Fushimi discloses that the PLL inhibiting step inhibits the PLL of the wobble signal in a section in which a header mask signal is on (Col. 11, lines 7-19).

In regard to claim 18, Fushimi discloses a track jump method performed on an optical recording medium on which a plurality of header areas having different phases are disposed between recordable data areas, in which information for recognition of reference frequency is provided in wobbling shape on a track, to separate the data areas (Figs. 4A and 4B), the track jump method comprising the steps of masking a header area using a first header mask signal indicating the header area during a track jump (Fig. 6, element 64 and Col. 10, lines 30-51), and masking a header area using a second header mask signal indicating the header area during normal recording/reproducing (Fig. 6, element 63 and Col. 11, lines 7-19), wherein the first header mask signal is not influenced by a wobble period (Fig. 10).

In regard to claim 19, Fushimi discloses that the first header mask signal is generated by slicing a sum of or a difference between optical reflected signals from the optical recording medium at a certain level (Col. 7, lines 32-51).

In regard to claim 20, Fushimi discloses that the second header mask signal is generated by counting wobble signals subjected to the PLL (Col. 16, lines 5-21).

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In regard to claim 21, Fushimi discloses that the step of masking a header area using the first header mask signal until a wobble signal is normally detected after the track jump is completed (Col. 10, lines 45-51).

Citation of Relevant Prior Art

4. Jackson et al (US 5,210,726) teaches performing track jumps by reading each header (Col. 1, lines 48-52). Wachi (US 5,471,444) teaches using header information to calculate the amount of time that it will take the pick-up to move to the target track (Fig. 3). Inokuchi et al (US 6,172,952) holds a PLL-wobble during a track jump (Col. 16, lines 29-39). Ishida et al (US 6,208,603) (hereafter Ishida) teaches waiting to start a track jump for a predetermined amount of time so that address information can be read from the header area (Fig. 15 and Col. 8, lines 16-20). The examiner notes that the Ishida reference does not suggest that the end of the predetermined amount of time coincides with a point where the header area ends but also, and more importantly, the end of the predetermined amount of time the track jump method of Ishida cannot be at a point where a header area ends because a finite amount of time between when the address is read from the header area and when the comparison between the current address and the target address is finished is inherent for the correct functioning of the Ishida track jump method.

Allowable Subject Matter

5. Claims 1-13 are allowed.

In regard to claims 1 and 10, none of the references alone or in combination disclose or suggest checking whether a current location is the end of a header area when a track jump

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command is received and starting the track jump when the current location is the end of the header.

6. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the references alone or in combination disclose or suggest starting a track jump at a point where a header area ends when a track jump command is input.

Conclusion

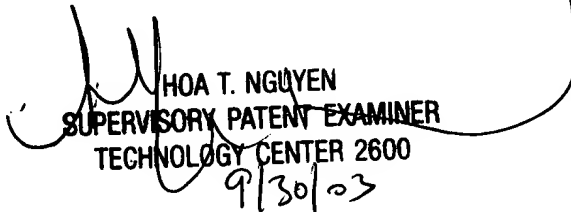
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael V Battaglia whose telephone number is (703) 305-4534. The examiner can normally be reached on 5-4/9 Plan with 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.



Michael Battaglia



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9/30/03